# APPENDIX

## TABLE OF CONTENTS


| | | |
|---|---|---|
| Appendix A: | Order, United States Court of Appeals for the Second Circuit (January 23, 2009) . . . . . | 1b |
| Appendix B: | Order, United States Court of Appeals for the Second Circuit (October 25, 2010) . . . . . | 3b |

## APPENDIX A

## UNITED STATES COURT OF APPEALS
## FOR THE
## SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York on the 23rd day of January, two thousand and nine,

**Docket Number: 07-2191-cv**

**[Filed January 23, 2009]**

| | |
|---|---|
| Charles E. Holster III, Individually and on Behalf of All Others Similarly Situated, | ) |
| Plaintiff-Appellant, | ) |
| v. | ) |
| Gatco, Inc., doing business as Folio Associates, | ) |
| Defendant-Appellee. | ) |

**ORDER**

Appellant, Charles E. Holster III, Individually and on Behalf of All Others Similarly Situated, having filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc,* and the panel that determined the appeal having considered the request for panel rehearing, and the active members of the Court having considered the request for rehearing *en banc,*

IT IS HEREBY ORDERED that the petition is denied.

For the Court:
Catherine O'Hagan Wolfe, Clerk

By: /s/Frank Perez
Frank Perez, Deputy Clerk

## APPENDIX B

## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 25th day of October, two thousand and ten.

**Docket Number. 07-2191-cv**

**[Filed October 25, 2010]**

| | |
|---|---|
| CHARLES E. HOLSTER III, Individually and on Behalf of All Others Similarly Situated, | ) |
| *Plaintiff-Appellant*, | ) |
| v. | ) |
| GATCO, INC., doing business as FOLIO ASSOCIATES, | ) |
| *Defendant-Appellee*. | ) |

Charles Holster having filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*, and the panel that determined the appeal having considered the request for panel rellearing, and the

active members of the Court having considered the request for rehearing en *banc*,

IT IS HEREBY ORDERED that the petition is denied.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk